



January 22, 2016

SENATE BILL No. 375

DIGEST OF SB 375 (Updated January 20, 2016 4:25 pm - DI 87)

Citations Affected: IC 4-13.6; IC 8-23.

Synopsis: Prequalification for public works projects. Delays from June 30, 2016, to December 31, 2016, the date after which public works projects that are awarded must comply with the requirement that a contractor be qualified under IC 4-13.6-4 or IC 8-23-10 before doing any work on the public works project. Exempts from the qualification requirement a contractor doing any work on a public works project awarded by a local unit whenever: (1) the total amount of the contract awarded to the contractor for work on the public works project is less than \$300,000; and (2) the public agency complies with IC 36-1-12 in awarding the contract for the project. Exempts from the qualification requirement a contractor that has annual gross revenues of not more than \$500,000. Requires that a list of contractors holding a valid certificate of qualification under IC 4-13.6-4 or IC 8-23-10 must be available for public inspection during regular office hours and on the Internet.

Effective: Upon passage; July 1, 2016.

Hershman

January 11, 2016, read first time and referred to Committee on Local Government.
January 21, 2016, reported favorably — Do Pass.

SB 375—LS 6988/DI 102



January 22, 2016

Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 375

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-13.6-4-2.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 2.5. (a) The definitions in**
4 **IC 5-16-13 apply to this section.**
5 **(b) Notwithstanding the applicability date specified in**
6 **IC 5-16-13-10(c) and subject to subsections (c) and (d), the**
7 **requirement that a contractor must be qualified under this chapter**
8 **before doing any work on a public works project applies to a public**
9 **works contract awarded after December 31, 2016.**
10 **(c) This subsection applies to a public works project awarded**
11 **after December 31, 2016, by a local unit. A contractor is not**
12 **required to be qualified under this chapter before doing any work**
13 **on a public works project awarded by a local unit whenever:**
14 **(1) the total amount of the contract awarded to the contractor**
15 **for work on the public works project is less than three**
16 **hundred thousand dollars (\$300,000); and**
17 **(2) the public agency complies with IC 36-1-12 in awarding**

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1 **the contract for the public works project.**

2 **(d) This subsection applies to a contractor in any contractor tier**
 3 **of a public works project. Notwithstanding IC 5-16-13-10(c), a**
 4 **contractor that has annual gross revenues of not more than five**
 5 **hundred thousand dollars (\$500,000) is not required to be qualified**
 6 **under this chapter before doing any work on a public works**
 7 **project.**

8 SECTION 2. IC 4-13.6-4-4.5 IS ADDED TO THE INDIANA
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2016]: **Sec. 4.5. The board shall make**
 11 **available for public inspection during regular office hours and on**
 12 **the Internet a list of the contractors holding a valid certificate of**
 13 **qualification issued by the board under this chapter.**

14 SECTION 3. IC 8-23-10-0.5 IS ADDED TO THE INDIANA CODE
 15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 16 UPON PASSAGE]: **Sec. 0.5. (a) The definitions in IC 5-16-13 apply**
 17 **to this section.**

18 **(b) Notwithstanding the applicability date specified in**
 19 **IC 5-16-13-10(c) and subject to subsections (c) and (d), the**
 20 **requirement that a contractor must be qualified under this chapter**
 21 **before doing any work on a public works project applies to a public**
 22 **works contract awarded after December 31, 2016.**

23 **(c) This subsection applies to a public works project awarded**
 24 **after December 31, 2016, by a local unit. A contractor is not**
 25 **required to be qualified under this chapter before doing any work**
 26 **on a public works project awarded by a local unit whenever:**

- 27 **(1) the total amount of the contract awarded to the contractor**
 28 **for work on the public works project is less than three**
 29 **hundred thousand dollars (\$300,000); and**
 30 **(2) the public agency complies with IC 36-1-12 in awarding**
 31 **the contract for the public works project.**

32 **(d) This subsection applies to a contractor in any contractor tier**
 33 **of a public works project. Notwithstanding IC 5-16-13-10(c), a**
 34 **contractor that has annual gross revenues of not more than five**
 35 **hundred thousand dollars (\$500,000) is not required to be qualified**
 36 **under this chapter before doing any work on a public works**
 37 **project.**

38 SECTION 4. IC 8-23-10-2.5 IS ADDED TO THE INDIANA CODE
 39 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 40 1, 2016]: **Sec. 2.5. The department shall make available for public**
 41 **inspection during regular office hours and on the Internet a list of**
 42 **the contractors holding a valid certificate of qualification issued by**



1 **the department under this chapter.**
2 **SECTION 5. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 375, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 375 as introduced.)

HEAD, Chairperson

Committee Vote: Yeas 8, Nays 0

